



PTO/SB/01 (04-05)

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**NOTICE OF APPEAL FROM THE EXAMINER TO
THE BOARD OF PATENT APPEALS AND INTERFERENCES**

Docket Number (Optional)

109910-130358

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to the USPTO or deposited with the United States Postal Service with
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"Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-
1450" [37 CFR 1.8(a)]
on December 28, 2005

Signature

Typed or printed
name

Yvette L. Chriscaden

In re Application of
Jeremy A. Kenyon et al.Application Number
09/768,658Filed
1/23/2001

For ASYNCHRONOUS SOFTWARE UPDATE

Art Unit

2192

Examiner

Nguyen Ba, Hoang Vu A.

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the last decision of the examiner.

The fee for this Notice of Appeal is (37 CFR 41.20(b)(1))

\$ 500☐ Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee shown above is reduced
by half, and the resulting fee is:

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☒ A check in the amount of the fee is enclosed.☐ Payment by credit card. Form PTO-2038 is attached.☒ The Director has already been authorized to charge fees in this application to a Deposit Account.
I have enclosed a duplicate copy of this sheet.☐ The Director is hereby authorized to charge any fees which may be required, or credit any overpayment
to Deposit Account No. _____. I have enclosed a duplicate copy of this sheet.☐ A petition for an extension of time under 37 CFR 1.136(a) (PTO/SB/22) is enclosed.**WARNING: Information on this form may become public. Credit card information should not
be included on this form. Provide credit card information and authorization on PTO-2038.**

I am the

☐ applicant/inventor.☐ assignee of record of the entire interest.
See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed.
(Form PTO/SB/96)☐ attorney or agent of record.
Registration number _____☒ attorney or agent acting under 37 CFR 1.34.
Registration number if acting under 37 CFR 1.34. 56,826
Signature

Robert C. Peck

Typed or printed name

503-222-9988

Telephone number

December 28, 2005

Date

**NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required.
Submit multiple forms if more than one signature is required, see below*.**☒ *Total of 1 forms are submitted.This collection of information is required by 37 CFR 41.31. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO
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